

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

Sealed Motion for Revocation on Offender Under Supervised Release Supervision  
Warrant Requested

Name of Offender: Timothy Gerome McCullers Case Number: 5:94-CR-97-6F  
Name of Sentencing Judge: Honorable James C. Fox  
Date of Original Sentence: September 5, 1995  
Original Offense: 21 U.S.C. § 846, Conspiracy to Possess With Intent to Distribute Cocaine;  
7 U.S.C. § 2024(b) & 2, Trading Food Stamps for Crack and Aiding and Abetting  
Original Sentence: 235 months imprisonment; 60 months supervised release  
Type of Supervision: Supervised Release Supervision Started: 06/08/2007  
Defense Attorney: Douglas W. Corkhill

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EARLIER COURT ACTION

09/05/1995: Sentence reduced to 180 months, pursuant to a Rule 35 Motion by the Government.  
04/17/2009: Subsequent to a positive drug screen for cocaine, the court modified the defendant's supervision conditions to include the DROPS Program and a 2-day jail sanction.  
07/23/2009: The defendant voluntarily entered the HOPE Reentry Court program.

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PETITIONING THE COURT

Violation 1 - Using a controlled substance.

On December 7, 2009, the defendant submitted a urine screen that tested positive for cocaine.

Violation 2 - Failure to answer truthfully inquiries by the probation officer.

On December 10, 2009, the probation officer questioned the defendant about any recent drug use (prior to the knowledge of the positive result in Violation 1) and the defendant denied any drug use.

In view thereof, we respectfully petition the court for the issuance of a warrant and recommend that the term of supervision be revoked. It is recommended that this petition and order be placed under seal until execution of the warrant. The purpose of sealing this document is to facilitate officer safety and to disallow the defendant's knowledge of issuance of the warrant.

This the 15th day of December, 2009.

Reviewed and approved,

/s/ Jeffrey L. Keller

Jeffrey L. Keller  
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

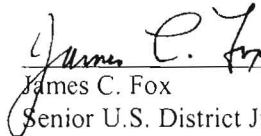
/s/ Erica W. Foy

Erica W. Foy  
U.S. Probation Officer  
310 New Bern Avenue, Room 610, Raleigh, NC  
27601-1441  
Phone: (919) 861-8660  
Executed On: December 15, 2009

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THE COURT ORDERS:

- ☒ ISSUANCE OF A WARRANT. This petition and warrant shall remain sealed until the warrant is executed. The Clerk shall provide a copy of the petition and warrant to the U.S. Probation Office and the U.S. Attorney's Office.
- ☐ OTHER:

  
James C. Fox  
Senior U.S. District Judge

12/16/09  
Date